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In re Application of  
ZEITSCH, Karl J.  
Application No.: 09/913,280  
PCT No.: PCT/ZA00/00024  
Int. Filing Date: 11 February 2000  
Priority Date: 11 February 1999  
Attorney's Docket No.: 251713  
For: PROCESS FOR THE MANUFACTURE  
OF FURFURAL

DECISION ON

PAPERS

UNDER 37 CFR 1.42

This is a decision on "Renewed Submission Under 37 CFR 1.42," filed on 04 March 2002.

### BACKGROUND

On 11 February 2000, applicant filed international application PCT/ZA00/00024, which claimed a priority date of 11 February 1999. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 17 August 2000.

On 13 August 2001, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 11 October 2001, the Office mailed a "Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office," (Form PCT/DO/EO/905) noting, *inter alia*, that an oath or declaration of the inventors complying with 37 CFR 1.497(a)-(b) was required.

On 27 November 2001, applicant filed a declaration executed by Mr. Philipp D.P. Steiner, who was "authorized by Hanna TEPOHL, the executor of deceased inventor Karl J. Zeitsch, to execute the declaration."

On 03 January 2002, the Office mailed Decision On Papers Under 37 CFR 1.42, refusing the request for status under 37 CFR 1.42.

On 04 March 2002, applicant filed "Renewed Submission Under 37 CFR 1.42," accompanied by a new declaration.

### DISCUSSION

Under 35 U.S.C. §117, legal representatives of deceased inventors may make application for patent upon compliance with the requirements and on the same terms and conditions applicable to the inventor. The "legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent." 37 CFR 1.42.

In this case, Hanna Tepohl signed the declaration as the legal representative of the deceased inventor, Karl J. Zeitsch. The Declaration lists the deceased inventor's citizenship, residence and postal address, and the legal representative's citizenship, residence and mailing address.

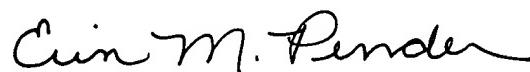
### CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED**.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing consistent with this decision. The application has an international filing date of 11 February 2000 under 35 U.S.C. §363 and a date of 04 March 2002 under 35 U.S.C. §371.



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